

**Town of Milton
Town Council Meeting Minutes
October 6, 2003**

6:30 to 7:23 p.m. – Public Hearing Regarding Town Center Boundaries

Mr. Evans gave a brief overview of the purpose of the meeting. He also noted that Ann Marie Townsend of the State Planning Office had her baby.

Mayor Bushey reported that letter were received from: (1) Clayton Kimble on Chandler Street requesting that the property be included in the Town Center; (2) Barbara Stellar of Tilney Street (by e-mail) against Broad Street being included in the Town Center; (3) Petition signed by 12 of the 15 owners on Broad Street requesting that Broad Street be included in the Town Center, (4) Camille Stanley of 202 Federal Street.

Mayor Bushey read the purpose of the Town Center zoning.

Councilwoman Betts excused herself. She stated that the purpose of the Comprehensive Plan was to include future growth. She came back tot the table.

Councilwoman Parker excused herself. She stated that she is opposed to Broad Street being zoned Town Center for a number of reasons. She stated that Broad Street is predominantly residential. It is very historic. Parking is (and will be) a problem. Zoning Broad Street Town Center will drastically change the neighborhood. She came back to the table.

Myron Burton of 124 Broad Street stated that he agrees with Councilwoman Parker. Over ½ of the properties on Broad Street are rented. One particular landlord is just a “slum lord”.

Inell Alexander who owns a lot on Tilney Street is opposed to the zoning on Broad Street being Town Center.

Don Post is concerned that this would open the door for destruction of the historic properties. That is why the Town should have a historic district ordinance in place before the Comprehensive Plan. He is concerned that it doesn’t make sense that if we are going for charm, why Bed and Breakfasts are a conditional use and hotels are a permitted use.

Ed Harris is for re-zoning Broad Street to Town Center. He has been here 9 years now and thinks Broad Street is an asset to the community.

Brian Logan stated he owns 2 houses on Broad Street and is for zoning it Town Center.

Matt Dotterer of 113 Broad Street stated that his property is not just an investment. Many people on Broad Street expect to live there for the next 5 to 30 years. He doesn’t want to raise his son next to a restaurant, hotel, Laundromat, etc.

Charles Jones stated that he feels there are a lot of restrictions. Where is the freedom going? Council is moving Commercial out to Route 16. We need less restrictions on the Downtown. He would like to see the Downtown section remain Commercial with more freedom and less restrictions.

It was noted that some excellent suggestions have been made tonight that need to be looked at. A special workshop was scheduled for October 16.

Linda Rogers asked that Planning & Zoning be included in the meeting, but how many times are we going to keep meeting over the same thing. Council needs to make a decision.

Councilman Hudson agrees that we need to get moving. It needs to be done right, but something needs to be done.

Mayor Bushey asked if Council wants to re-hash this with Planning & Zoning? Councilman Hudson thinks it is a good idea, but we need to look at permitted uses versus special condition.

This item will be on the November agenda for a vote.

OPEN FLOOR: No one present signed up to speak at Open Floor.

Mayor John F. Bushey called the meeting to order at 7:35 p.m. at the Fire Hall on Front Street.

Councilwoman Betts offered the opening prayer.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey
Councilman Charles Fleetwood
Councilwoman Leah Betts
Councilwoman Ronda Melson
Councilwoman Stephanie Parker
Councilman Jerry Hudson
Councilman Wright

Others Present: Jocelyn Jenkins, Town Clerk
Stephanie Coulbourne, Finance Clerk
Dawn Johnson, Administrative Assistant
William Phillips, Chief of Police
Allen Atkins, Town Maintenance
Eric Evans, Code Enforcer
Tim Willard, Town Attorney
Bob Kerr, Town Engineer

Presentation and Approval of Minutes

Councilman Fleetwood made a **motion** to approve the minutes of the September 2, 2003 regular meeting, seconded by Councilman Wright.

Motion carried – “Aye”

Approval of Treasurer’s Report

Councilman Hudson made a **motion** to accept the treasurer’s report, seconded by Councilwoman Parker.

Motion carried – “Aye”

Presentation and Approval of Monthly Bills

Councilman Fleetwood made a **motion** to pay the monthly bills as money becomes available, seconded by Councilwoman Betts.

Motion carried – “Aye”

Committee Reports

Sewer & Water Committee – Councilwoman Melson

A meeting of the Committee will be scheduled.

Streets & Sidewalks Committee –Councilman Wright

Councilman Wright reported that the Committee met on September 29 and all members of the Committee were present. They discussed the request regarding parking on one side of Chestnut Street. They also discussed the handicap sidewalk cuts. They are going to cost between \$1000 and \$1500 per cut. He noted that there will be one on each end of Magnolia. He questioned if one is still needed in the middle of the block. Councilman Wright will look into ADA requirements. The Committee also discussed lighting on Governor’s Walk.

Councilman Fleetwood made a **motion** to approve the installation of lights along Mill Alley as part of the Governor’s Walk and use Municipal Street Aid funds, seconded by Councilwoman Betts.

Motion carried – “Aye”

(Town Clerk Jenkins to confirm use of MSA for lights on Mill Alley.)

Councilman Wright also would like to have one or two lights installed on Betts Street. Councilman Fleetwood made a **motion** to go ahead with the installation, seconded by Councilman Hudson.

Motion carried – “Aye”

Ordinance Committee – Mayor Bushey

Mayor Bushey noted that there are several ordinances for review and vote tonight.

Personnel Committee – Councilwoman Parker

Councilwoman Parker stated that an Executive Session is necessary tonight.

Pension Committee – Councilwoman Betts

Councilwoman Betts reported that the Town employees agreed to go with the State Pension Plan and the transferring of accounts is in the process.

Parks & Recreation Committee – Councilman Fleetwood

Councilman Fleetwood reported that the rip rap is being held up by the State due remnants of an old dock. A Memorial Garden will be going in. Paving of the parking at the boat docks and the brick sidewalk to the library are all pending the streambank project.

Economic Development Committee – Councilman Fleetwood

Nothing to report.

Planning & Zoning Committee – Linda Rogers

Nothing to report. The public hearings on the Zoning Ordinance are still in progress. The next one is October 21, 2003.

Risk Management Committee – Councilman Fleetwood

Councilman Fleetwood asked if we still need this Committee? It was about money management and we have a Finance Committee now.

Milton Development Corporation – Councilwoman Betts

Councilwoman Betts reported that they are working on the Christmas shows at the theater. The shows are tentatively scheduled for December 5, 6, and 7.

Board of Adjustment

Nothing to report.

Written Reports

Maintenance Report

Councilman Fleetwood made a ***motion*** to approve the maintenance report as written, seconded by Councilwoman Melson.

Councilman Hudson asked Mr. Atkins the status of the repair of the water leak on Bay Avenue. Mr. Atkins noted that he has a meeting with Teal on October 7 at 10:00 a.m.

Mr. Atkins also stated that the faucets in the Park are locked.

The question was called on the motion.

Motion carried – “Aye”

Code Enforcer Report

Councilwoman Parker made a **motion** to approve the Code Enforcer’s Report, seconded by Councilman Hudson.

Motion carried – “Aye”

Police

Councilwoman Parker made a **motion** to approve the report of the Police Department, seconded by Councilwoman Melson.

Councilman Hudson asked Chief Phillips why our officers arrested someone for DUI on Route 13A in Laurel. Chief Phillips stated that it was a DUI Strikeforce for the State. On October 18, there will be a DUI Strikeforce in Milton.

The question was called on the motion.

Motion carried – “Aye”

Chief Phillips also reported that DNREC is investigating the discovery of 50 to 60 barrels of unknown substance on the Gibbs property on Front Street.

Town Clerk

Councilman Fleetwood made a **motion** to approve the Town Clerk’s report, seconded by Councilman Wright.

Motion carried – “Aye”

Correspondence

1. Letter from SCAT advising of a meeting on November 21. They are hoping for 2 participants from each Town.
2. Letter from the Ohrt’s regarding the alley on Hazzard Street. There was discussion. Town Council will revisit this whole issue. Councilman Wright will follow up and report at the November meeting.
3. Letter from First State Community Action regarding the Annual Dinner on November 19, 2003 at 6:00 p.m.
4. Letter from Comcast stating that high definition TV will be available after November 1.
5. Letter from Quality Insights regarding flu vaccinations.
6. Letter from freecamping.net

Old Business

Adopt Building Ordinance

Councilman Fleetwood made a **motion** to adopt the building ordinance, seconded by Councilman Wright.

Councilwoman Parker had a question regarding Section 5-7 fees.

Councilman Fleetwood amended his motion to say \$300 materials and labor, seconded by Councilwoman Parker.

Motion carried – “Aye”

Councilman Wright noted that last month Council made a motion regarding Orchard Street, does Council need to take further action? Mayor Bushey stated that the loose blocks have been removed. The insurance company has been advised to return it to its normal state.

Councilman Wright asked that Mrs. Jenkins give an update on Mulberry Street.

New Business

Carwash Sewer – Jim Parker

Mr. Parker was requesting reimbursement for expenses to run a sewer line to Route 16 when it could have been run to Route 22B, due to the fact that he believes he was given inaccurate information as to where the line was located. Mr. Parker noted that recordkeeping is very important. He stated that he is willing to pay ½ the expenses incurred by his plumber. This item was deferred to the Sewer and Water Committee for the Committee to make a recommendation to Town Council.

Mr. Parker also stated that the restaurant should be ready to open in less than two weeks pending A.P. Croll installing the water line. The carwash is expected to open the first weekend in November.

Minor Subdivision – Shipbuilders Village

William Warren stated that the request was to subdivide the open area in the front of the development into building lots. Mrs. Rogers stated that this area was originally Open Space. She asked how we can change that? Mr. Willard stated that it is between the property owners if they want to pursue it because it is different than the deed.

Bernice Edwards stated that it would be great for a “youth center”.

Councilman Wright made a **motion** not to grant the subdivision until the legalities are straightened out, seconded by Councilwoman Parker.

Motion carried – “Aye”

Moratorium – Update

The moratorium was extended until tonight. There was discussion about extending it until at least November because the Comprehensive Plan is not approved.

Councilwoman Parker made a **motion** to extend the moratorium until March, seconded by Councilwoman Betts.

It was noted that it can be lifted sooner if the Comprehensive Plan is ready.

The question was called on the motion.

Motion carried – “Aye”

Major Subdivision – Chestnut Crossing on Chestnut Street (forward to P & Z)

Gary Couples of ECI stated that Chestnut Crossing would be a 25 lot subdivision.

Councilman Fleetwood made a **motion** to forward this request to Planning & Zoning for their comment, review, and recommendation, seconded by Councilman Wright.

Motion carried – “Aye”

Bob Kerr noted that the street width doesn’t meet Code.

Review/Adopt Business License Ordinance

Tim Willard stated that he has no concerns about this ordinance.

Councilman Fleetwood made a **motion** to adopt the business license ordinance, seconded by Councilwoman Parker.

Motion carried – “Aye”

Review/Adopt Housing Ordinance

Tim Willard stated that he has no major concerns with this ordinance. He stated that the Town received positive comments from the State and it is a fairly generic ordinance.

Councilman Fleetwood made a **motion** to adopt the ordinance, seconded by Councilman Wright.

Motion carried – “Aye”

Review/Adopt Adequate Public Facilities Ordinance

Mr. Willard suggested that this ordinance be discussed with other members of SCAT. He doesn’t think there is any urgency in adopting this ordinance.

This item will be on the November agenda.

Review/Adopt Annexation Agreement

This item will also be discussed at SCAT and put on an agenda at a later date.

Executive Session

Councilman Fleetwood made a **motion** to go into Executive Session at 8:57 p.m., seconded by Councilman Wright.

Motion carried – “Aye”

Respectfully submitted,

Dawn Johnson
Administrative Assistant

dmbj:10/30/03